

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF UTAH

MICHAEL BACON,

Plaintiff,

v.

SALT LAKE CITY POLICE
DEPARTMENT, *et al.*,

Defendants.

**ORDER ADOPTING REPORT AND
RECOMMENDATION**

Case No. 2:20-cv-00162-JNP-CMR

Judge Jill N. Parrish

Magistrate Judge Romero issued a Report and Recommendation that plaintiff Michael Bacon's action be dismissed without prejudice for failure to prosecute. Judge Romero notified Bacon that a failure to file a timely objection to her recommendation could waive any objections to it. No objection was filed within the allotted time.

Because no party objected to the Report and Recommendation, any argument that it was in error has been waived. *See United States v. One Parcel of Real Prop.*, 73 F.3d 1057, 1060 (10th Cir. 1996). The court will decline to apply the waiver rule only if "the interests of justice so dictate." *Moore v. United States*, 950 F.2d 656, 659 (10th Cir. 1991). The court has reviewed the Report and Recommendation and concludes it is not clearly erroneous. Thus, the court finds that the interests of justice do not warrant deviation from the waiver rule and ADOPTS IN FULL the Report and Recommendation.

Accordingly, the court ORDERS as follows:

1. The Report and Recommendation, ECF No. 18, is ADOPTED IN FULL.
2. The court dismisses the plaintiff's action without prejudice for failure to prosecute.

SO ORDERED April 29, 2021.

BY THE COURT:

A handwritten signature in purple ink, reading "Jill N. Parrish", is written over a horizontal line.

JILL N. PARRISH
United States District Judge